

ARTICLE XV SIGNS

Section 233. Definitions

For purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them in this section:

Billboard. A structure which is erected for the sole purpose of the placement of a sign or advertisement for hire. Each such space for hire shall be considered a specific billboard regardless of whether or not the face is incorporated into the ground structure.

Erect. To build, construct, attach, hang, place, suspend or affix.

Flag. A piece of fabric or similar flexible material that is used to attract attention to a specific location or condition.

Ground Sign. Any billboard or sign erected, constructed or maintained for the purpose of displaying outdoor advertising by means of poster, picture or pictorial and reading matter when such sign is supported by one or more uprights placed on or affixed in the ground and not attached to any part of a building.

Historic Markers. Sign approved by the Historic Commission that explains the historical fact of an event or location.

Illuminated Sign. Any sign which has characters, letters, figures, designs or outline illuminated by a light source of any kind as part of the sign proper.

Marquee Sign. Any sign affixed to a marquee or canopy over the entrance to a building, extending wholly or in part across the sidewalk and supported from the building.

Mural. A work of art that is applied to or painted on a wall which does not convey any political or advertising message.

Post Sign. Any letter, word, model, sign, device or representation used in the nature of an advertisement or announcement supported by one or more permanent posts.

Projecting Sign. For the purpose of this Article, are divided into two classes as follows:

- Projecting signs affixed to the building or on a post(s) and which extend over the sidewalk, and
- Flat signs attached in a rigid manner and lying parallel to the building wall but projecting beyond the property line.

Rolling Sign. Any sign, which is portable in nature, mounted on a movable chassis without having a fixed location.

Roof Sign. Any sign erected, constructed or maintained upon the roof of any building.

Sandwich Boards. Double Sided Portable sign not to exceed 8 square ft., 4ft. each side.

Sign. Any sign, billboard, commercial sign or illuminated sign or any other lettering of device, the intent of which is to display, illustrate or advertise the interest of any person, when it is placed out of doors in view of the general public. For purposes of this Article a sign is defined as any device designed to inform or attract the attention of persons not on the premises on which the sign is located provided that the following shall not be included in the application of the regulations herein:

- Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises not having commercial connotations;
- Flags and insignias of any government except when displayed in connection with commercial promotion;
- Legal notices; identification, information, or directional signs erected or required by governmental bodies;
- Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights; and
- Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.

Sign Illumination. External lighting by means of a light source not a part of the sign proper, whether or not such light source is attached to the structure of the sign.

Wall Sign. Any painted sign or poster on any surface or plane that may be affixed to or a part of the front, side or rear wall of any building.

Window Sign. Any sign or poster affixed to the inside of a window or door, or a sign or poster placed within a building so as to be plainly visible and legible through a window or door. Small signs or posters incorporated into a window display of merchandise and measuring no more than 100 square inches shall not be considered window signs.

Section 234. Exempted Signs

The following classes of signs shall be exempted for the provisions of this Article relating to registration and payment of permit fees; provided, that such exemption shall not be construed so as to relieve the owner of the sign from responsibility for its erection and maintenance in a safe manner:

1. All signs not exceeding 6 square feet in area advertising the sale, rent or lease of real estate and located upon the property to which such sign refers. Such sign shall not be a hazard to traffic safety. Such signs shall be affixed to a post in the ground or to the wall so advertised. Such signs shall be removed within 10 days after the final settlement or rental of the property. Only one sign shall be allowed per lot or building;
2. Signs advertising the name of the merchant and his business, when painted upon the windows of such establishment;
3. Signs erected on church property, giving the name of the church, the time of services and similar information;
4. Signs of charitable, benevolent or religious associations or fraternal or nonprofit associations, located on the premises or grounds of such associations;

5. Signs of political parties and candidates seeking public office; provided that such signs are removed within 10 days after the primary (for losers) and after the general election;
6. Professional signs denoting the name and profession or calling of persons pursuing livelihood such as minister of the gospel, teacher, lawyer, physician, or dentist; provided, that such sign does not exceed the size and type permitted by the ethical standards of the profession or calling, and in no case exceeds 2 square feet.
7. Traffic or other municipal signs, legal notices, danger warnings and such temporary emergency or non-advertising signs as may be approved by the Planning & Zoning Commission.
8. Memorial signs or tablets, names of buildings and the date of erection, when cut into any masonry surface or when constructed of bronze or any other incombustible material.
9. Special decorative displays used for holidays, public demonstrations or promotions of civic welfare or charitable purposes, when authorized by the Planning & Zoning Commission or Zoning Inspector when there is no commercial advertising;
10. One sign denoting the architect, engineer and contractors when placed upon work under construction and when not exceeding twenty square feet in area. Such signs shall be removed within 10 days after the completion of such construction.
11. Permanent historic markers as approved by the Town Council.
12. Open Flag no larger than 3' x 5' supported from a rigid pole mounted on the face of a commercial building. Such flag must be mounted so as not to obstruct any road or passageway and must have a minimum clearance above a public sidewalk of 6'6" and must only be on display during business hours. Only one Open Flag shall be permitted per building entrance.

Section 235. Sign Permit Required

1. No person shall erect a sign or billboard within the Town and no person shall repair, alter, relocate or maintain any existing sign or billboard within the Town unless and until a permit for such sign or billboard has been issued by the Planning Commission.
2. No permit required by this Article shall be granted until after an application has been filed with the Planning Commission showing the plans and specifications of the proposed structure, and its proposed location with respect to property lines, nor until the provisions of this Article relating to such structure have been complied with. Each such application shall be accompanied by the required fee. The Planning Commission may prescribe suitable regulations not inconsistent with the provisions of this Article concerning the form and contents of all applications for the various types of permits required.
3. The Zoning Inspector may revoke any permit issued by him/her pursuant to this Article upon failure of the holder thereof to comply with any of the provisions of this Article. Signs must be maintained and the Zoning Inspector shall have the authority to enforce proper maintenance

Signs Section 236. Ground

1. All ground signs for which a permit is required under this Article shall have a support structure of incombustible material; provided that combustible structural trim may be used thereon.
2. All letters, figures, characters or representations in cut-out, irregular form, maintained in conjunction with, attached to or superimposed upon any sign, shall be safely and securely built or attached to the sign and shall comply with all the requirements of this Article.
3. No person shall erect any ground sign the total height of which is greater than 20 feet above the level of the street upon which the sign faces, or above the adjoining ground level if such ground level is above the street level.
4. Location.
 - a. No ground sign shall be nearer than 2 feet to any other sign, building or structure
 - b. No ground sign shall be nearer the street than the building line established by law or ordinance.
 - c. All ground signs shall conform to the provisions and the requirements of this Article.
5. All ground signs shall be securely built, constructed and erected upon posts and standards designed by standard engineering practices, and shall not be supported and braced by timbers or metal rods.
6. All posts or wood shall be treated to protect them from moisture by creosoting or other approved method when they rest upon or enter into the ground.
7. All ground signs and the premises surrounding such signs, shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, and free and clear of all obnoxious substances, rubbish, weeds or growth. The Zoning Inspector and/or the Chairperson of the Planning and Zoning Commission is authorized to order the removal of any sign rendered illegible by unclean, unsanitary condition, rubbish, weeds, growth or other neglect; such signs shall be removed within thirty (30) days of receipt of written notice of such violation issued by the Zoning Inspector and/or the Chairperson of the Planning and Zoning Commission.
8. Temporary ground signs advertising the future use or development of property on which such signs are located may be erected, subject to the provisions of this Article; provided, that such signs shall be erected only under the provisions of a temporary, six months renewable permit. No such sign shall exceed 100 square feet and no higher than 8 feet in height. Such signs shall be removed within 30 days of completion of such development.
9. Renewable permits for ground signs shall be denied by the Zoning Inspector in the event that the sign has not been kept in proper repair or has damaged the public health and welfare by providing a harboring place for rodents, reptiles, insects, or a screen for unauthorized dumping grounds refuse. Such signs unfit for a renewal permit shall be ordered removed within thirty days after expiration of the permit, subject to the provisions of this Article for the removal of signs by the Zoning Inspector.
10. Temporary ground directional signs to subdivisions under development are permitted in a residential area; provided, that permission of the owner of the property upon which the sign is erected is obtained, and that there are no objections to such sign by

adjoining property owners. Such directional signs shall be no larger than 20 square feet in area. Such signs are subject to the same restrictions as temporary ground signs.

11. Temporary signs advising the public of upcoming actions or conditions of the property on which they are posted are allowed with an approved permit but must be removed within 30 days after such condition ceases to exist or within such time limits set by the Zoning Inspector. No such sign shall exceed 4' x 8' in size or shall stand higher than 8' above ground level to the top.

Section 237. Roof Signs

1. Roof signs shall only be permitted in the Maritime Commercial (M-1) and General Commercial (GC) zones.
2. No roof sign or its lighting apparatus shall extend beyond the highest point, the eave or either edge of the roof on which it is attached.
3. Lighting for any roof sign shall be placed in such a manner so as not to create a glare on surrounding properties or cause visual difficulty for pedestrians or vehicles on any adjacent thoroughfare.
4. No roof sign shall be larger than 75% of the vertical & horizontal face of the roof on which it is attached. In any case no sign shall be greater than 100 square feet.
5. Roof signs weighing more than 300 pounds including any lighting and mounting apparatus shall be permitted and inspected by the County.

Section 238. Wall Signs

1. No wall sign shall extend beyond the building line more than 18 inches; except, that if the sign is illuminated the light reflectors may project 6 feet beyond the building line. In no case shall any wall sign or its illumination devices extend beyond the curb line or the paved edge of an uncurbed street.
2. No wall sign shall exceed 40 square feet in area and such sign shall be safely and adequately attached to such buildings.
3. Murals may be applied only after an accurate design, size and location is submitted to and approved by the Town Council.
4. Special sale signs and/or posters shall be placed in such a manner that they shall not be visible from the outside of the building.

Section 239. Projecting Signs

1. No projecting sign shall extend above the roof line.
2. Every projecting sign shall be constructed and braced to withstand a horizontal wind pressure of not less than 30 pounds for every square foot of surface exposed, and shall be securely attached to the building wall in an approved manner.
3. No projecting sign shall extend more than 4 feet 6 inches from the building line, including attachment irons and the like, unless such sign is less than 4 feet 6 inches in height, in which case the maximum projection shall be 6 feet 6 inches from the building line. In no case shall a projecting sign or its mounting device extend beyond the curb line.

4. No sign projecting more than 6 inches from the building line shall be erected directly above or below a sign projecting 6 feet, unless there is a space of not less than 6 feet, separating such signs.
5. No projecting signs shall extend downward nearer than 8 feet to the ground or pavement when placed in a pedestrian area.

Section 240. Post Signs

1. No post sign shall extend downward nearer than 10 feet to the ground or pavement, unless such sign is so located on the premises where there is no walk or drive-in traffic.
2. Post signs shall be constructed and braced to withstand a horizontal wind pressure of not less than 30 pounds for every square foot of surface exposed and shall be securely attached to the post or posts in an approved manner.
3. No post sign erected on private property shall extend more than 4 feet 6 inches from the building line, including attachment irons and the like, unless the sign is less than 4 feet 6 inches in height, in which case the maximum projection shall be 6 feet 6 inches from the building line.
4. No post sign shall exceed 25 feet in height.

Section 241. Marquees and Marquee Signs

1. No marquee or marquee sign shall be erected which does not comply with this Article and any other requirement of this Ordinance.
2. Marquees and marquee signs may extend to a point 2 feet back of the curb line, but no such marquee or marquee sign shall be less than 10 feet in the clear above the level of the sidewalk.
3. There may be placed thereon an illuminated sign, which may extend the entire length and width of the marquee, provided, that such sign does not extend above or below such marquee. Under no circumstances shall the sign or signs have a vertical width greater than 4 feet.
4. No additional signs shall be attached to a marquee.

Section 242. Sign Illumination and Illuminated Signs; Flashing Signs Prohibited

1. Goose neck reflectors and lights shall be permitted on ground signs, roof signs, wall signs, post signs and marquee signs; provided, that the reflectors shall be provided with proper glass lenses concentrating the illumination upon the area of the sign so as to prevent glare on the street or adjacent property.
2. Business signs may be illuminated, but if located in the vicinity of a traffic control signal no red illumination shall be used thereon.
3. All illuminated signs and sign illumination shall be subject to applicable provisions of this Ordinance and of all laws and electrical and building codes which may be in force within the Town of Chesapeake City.
4. The application for a permit for the erecting of a sign or other advertising structure in which wiring and connections are to be used shall be submitted by the applicant to such official or officials having inspection duties in connection therewith under this Article or any law, electrical code, ordinance or regulation in force in the Town of Chesapeake City, and the applicant shall pay any required inspection fee.

5. It shall be unlawful for any person to erect or maintain within the Town any sign the illumination of or for which alternatively flashes on and off or which alternatively increases and decreases in the intensity of illumination.
6. The use of neon shall be permitted using one single band as a back light or border line only. Neon shall not be used in any other way.

Section 243. Commercial Signs

1. No commercial sign or billboard, as defined by this Article, shall be erected within the Town except upon property, which has been zoned for such purpose.

Section 244. Obstruction of Windows, Doors, Fire Escapes, Etc., Prohibited

1. No sign of any description shall be installed, erected, constructed or maintained in such a manner as to obstruct any fire escape or any window or door, nor shall any sign be attached in any manner to any fire escape.

Section 245. Obstruction of Traffic and Traffic Signs Prohibited

1. No sign or advertising shall be erected at or near the intersection of any streets in such a manner as to obstruct free and clear vision; or any location where by reason of its position, shape, or color it may interfere with or obstruct the view of, or be confused with, any authorized traffic sign, signal or device.
2. No sign shall make use of the words "stop", "look", "danger", or any other word or phrase of similar character in such a manner as to interfere with, mislead or confuse traffic.
3. No beacon ray or similar type of lighting device shall be permitted.

Section 246. Display of Obscene, Etc., Matter Prohibited

1. No person shall display upon any sign, wall, placard, banner or other advertising structure any profane, obscene, indecent or immoral matter.

Section 247. Miscellaneous Requirements

1. No permit shall be issued for any sign except as prescribed in this Article.
2. No sign or banner shall be maintained in such state of disrepair so as to be unsightly by reason of paint or by partial destruction or dilapidated condition thereof.
3. Signs which contain or consist of banners, posters, pennants, ribbons, streamers, and strings of light bulbs, are prohibited, except as permitted below:
 - a. Charitable banners will be permitted for a 14 day period at approved locations with the issuance of a permit by the Planning Commission.
 - b. Grand opening banners will be permitted for a 14 day period with the issuance of a permit by the Planning Commission.
4. Temporary Signs - Portable or rolling signs with maximum area of 15 square feet are permitted with the issuance of a permit by the Planning Commission.

Section 248. Existing Signs

1. All signs which have been lawfully erected and maintained prior to the effective date of this Ordinance shall be deemed as legal and lawful signs under the provisions of

this Article; provided that the Zoning Inspector does not find any such sign to be in a state of disrepair or to constitute a safety hazard.

2. No existing ground sign, wall sign, projecting sign, post sign or marquee sign shall be enlarged, rebuilt, structurally altered or relocated except in accordance with the provisions of this Ordinance, and not until a permit therefore has been issued by the Planning Commission and County (if necessary).
3. The issuance of a permit shall not relieve the owner or leasee of the premises from the duty of maintaining safely any of such structures.

Section 249. Enforcement

1. The Zoning Inspector shall cause to be taken down all signs which are unsafe, insecure, or a menace to the public, or which have been constructed or erected or are being maintained in violation of the provisions of this chapter or are not registered with the Zoning Inspector after first having given 10 days notice in writing to the owner of or person maintaining such sign by personally serving him with notice or by leaving such notice at the place of business in connection with which the sign is displayed, with some person found therein.
2. In case such sign is maintained by a person engaged in the business of erecting and maintaining signs such notice may be served by addressing and mailing such notice to the last known address of such person.
3. No person shall maintain or display on or in connection with any premises owned, occupied or used by him any sign in violation of this Article.
4. Any sign installed, erected or maintained in violation of the terms of this Article shall be an unlawful sign. The Zoning Inspector shall take down all signs which are unlawful by first giving 10 days written notice to the owner or person maintaining the signs. Such notice may be served by addressing the place of business in connection with which such sign is used or displayed or by addressing a letter to the owner or person maintaining such sign and mailing the same to his last known address.
5. The Zoning Inspector shall remove any sign of immediate danger or hazard to persons or property, without notice. No person shall maintain or permit to remain upon any premises owned, leased or occupied or used by him, with notice thereof, any unsafe sign or insecure sign liable to injure any person or property.
6. Any property owner within the corporate limits of the Town of Chesapeake City where a business has ceased or is terminated shall be responsible for the removal of all signs, posts, and standards and the building and grounds shall be restored to their original condition within 30 days after notification by the Zoning Official of the Town of Chesapeake City.
7. All expenses incurred by the Zoning Inspector in taking down or removing any sign under this Article shall be charged to the person responsible for such sign or the property owner in default and shall constitute a lien on the property upon which such sign was installed as well, which shall be enforceable as a lien for taxes.

Section 250. Signs, Number and Surface Area

1. For purpose of determining number of signs, a sign shall be considered a single display surface or display device containing elements organized, related, and composed to form a unit.

2. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.
3. The surface area of a sign shall be computed as including the entire area within a regular geometric form or combination of regular geometric forms comprising all of this display area of the sign including all of the elements of the matter displayed. Frames and structural members not bearing advertising matter shall be included in computation of surface area.
4. In the event that a sign is composed of individual letters applied to the wall of a building, the area of the sign shall be taken as the area 2 feet around each letter and space in between each letter.
5. No more than one sign per business attached to the outside of each building or portion thereof. A single additional sign, indicating open or closed, not larger than 25% of the size of the advertised sign shall be permitted.
6. Where a building has frontage on more than one street or public highway, one attached sign shall be permitted for each street frontage. In no event shall the total area of all attached signs exceed the allowed square footage of the zone in which it is erected.
7. In addition, a free standing or attached sign may be erected provided that it lists only the names of the businesses housed within the premises and provided that it conforms to the zoning classification in which it is erected.

Section 251. Permitted Signs

1. In the R-1, R-2, R-3 and TND districts the following on-site signs are permitted:
 - a. One nameplate not exceeding 2 square feet in area which indicates the name of the occupant.
 - b. One unlighted sign, not exceeding 6 square feet in area which indicates the prospective sale or rental of property on which it is located.
 - c. One unlighted sign not exceeding 2 square feet in area which identifies a permitted nonresidential use.
2. In the VC district the following on-site signs are permitted:
 - a. Total signage not to exceed 32 square feet of area for each 10 linear feet.
 - b. Signs must pertain to goods or services sold on the premises.
 - c. Signs must not rise above roof level.
3. In the GC district the following off-site signs may be permitted as a Special Exception by the Board of Appeals:
 - a. Signs may not exceed 100 square feet in area.
 - b. Signs must not be nearer than 100 feet to any residence.
 - c. Signs must not be nearer than 25 feet to any property line.
4. In the Historic District signs may not exceed 8 square feet.

Section 252. Prohibited Signs

1. Signs containing profanity, graffiti or obscenity.
2. Sign messages painted directly onto the surface of a building or structure other than a permitted sign.

3. No sign shall exceed the maximum allowable height of any building in the zone in which it is placed.

Section 253. Sandwich Board Signs

1. Shall be allowed one per business, placed in such a manner not to obstruct pedestrian walk ways or vehicle traffic.
2. Can only be displayed during normal business hours.

Section 254. Window Signs

1. Window posters or signs may be displayed, and may cover up to twenty-five percent (25%) of the total window area per business establishment on the side of the building where such posters or signs are located. Window stenciling or lettering, placed on the inside of a window, is allowed as part of an establishment's total window coverage. This shall be measured in the same way as other signs: by drawing an imaginary polygon around the outside edge of all letters or emblems as if they were a single sign, and then measuring the size of that polygon.
2. Window posters or signs shall not direct light off-site, or at any portion of the traveled highway or street.
3. No window poster or sign may be of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or otherwise interfere with the operation thereof.
4. Window posters or signs that are fraudulent or misleading, or in violation of, or at variance with, any Federal, State, or local law or regulation, or which advertise activities which are illegal under Federal, State or local law or regulation, are prohibited.

Section 255. Reserved

Section 256. Reserved